



**NATIONAL ATM COUNCIL, INC. v. VISA INC., et al.**  
**United States District Court for the District of Columbia**  
**Case No. 1:11-cv-01803**

**BACKGROUND:**

Plaintiffs allege that Visa and MasterCard have imposed contractual provisions – the “ATM Access Fee Rules” or “the Rules” – that prevent ATM operators from charging a discounted access fee if a customer’s transaction can be processed over an alternative network that is less expensive than Visa or MasterCard networks, and they allege that those rules unreasonably restrain trade and therefore violate Section 1 of the Sherman Act.

**DEFENDANTS:**

Visa Inc.; Visa USA Inc.; Visa International Service Association; Plus System, Inc. MasterCard Incorporated; MasterCard International Incorporated d/b/a MasterCard Worldwide

**CLASS DEFINITION:**

All ATM Operators that originated an Authorized Surcharged ATM Cash Disbursement at a Qualified ATM at any time between October 1, 2007, and the present.

“ATM Operator” is any person or entity that owned, operated, or leased a Qualified ATM that was authorized by a MasterCard Member or Visa Member, or by the agent of such Member, to originate an ATM Cash Disbursement through the connection of the Qualifying ATM to the Visa or MasterCard ATM Networks. ATM Operator includes ATM Independent Sales Organizations (“ISOs”) sponsored by a MasterCard Member or Visa Member and authorized to connect a Qualified ATM to the MasterCard or Visa Networks, together with the affiliates of ATM ISOs authorized by the ATM ISA to connect a Qualified ATM to the MasterCard or Visa ATM Networks. Persons or entities that make space available to ISOs or affiliates of ISOs to operate a Qualified ATM on property they own or control, armored car firms that provide cash replenishment of Qualified ATMs, and Encryption and Support Organizations that manage encryption keys or service Qualified ATMs are not ATM Operators.

**SETTLEMENTS:**

N/A

**FILING DEADLINE:**

N/A